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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/661,930 09/14/00 STEPHAN

D 10512.103US0

023552 QM12/1003
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EXAMINER

NGUYEN, K

ART UNIT

PAPER NUMBER

3713

DATE MAILED:

10/03/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.
09/661,930

Applicant(s)

Stephan

Examiner
Klm Nguyen

Art Unit
3713



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE three MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on Aug 27, 2001
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 35 C.D. 11; 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-32 is/are pending in the application.
- 4a) Of the above, claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-32 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are objected to by the Examiner.
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

a) ☐ All b) ☐ Some* c) ☐ None of:

- ☐ Certified copies of the priority documents have been received.
- ☐ Certified copies of the priority documents have been received in Application No. _____.
- ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

*See the attached detailed Office action for a list of the certified copies not received.

- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

- 15) ☒ Notice of References Cited (PTO-892) 18) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 16) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948) 19) ☐ Notice of Informal Patent Application (PTO-152)
- 17) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____ 20) ☐ Other: _____

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DETAILED ACTION

The restriction requirement established by examiner on 6/9/2001 (paper No. 4) has been withdrawn. Claims 1-32 are examined. The rejection on claims 1-32 is explained herein.

Specification

1. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

Claim Objections

2. Claims 20 and 21 are objected to because of the following informalities: claim 20 and 21, line 2, the repeated phrase "on support rails" should be deleted.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to

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make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

4. Claims 15-26 are rejected under 35 U.S.C. 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

a. Claim 15, line 3, the claimed limitation "a computer control actuator" is not disclosed in the specification or in the drawings. For further examining purpose, the computer control actuator is guessed as input buttons.

Further, note that the input buttons should be controlled by a user rather than being controlled by a computer.

b. Claim 15, line 4, the claimed limitation "a computer controlled determiner" is not disclosed in the specification or in the drawings.

c. Claim 15, line 5, the claimed limitation "crediting winnings" is not disclosed in the specification.

d. Claim 23, lines 1-2, the limitation "a plurality of modules" is not disclosed in the specification.

e. Claim 26, lines 1-2, the limitation "gaming device controls" is not disclosed in the specification. what is the "gaming device controls"? For further examining purpose, the gaming device controls is guessed as the input buttons.

f. Claims 16-26 are being rejected as being dependent on the rejected base claim.

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5. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

6. Claims 15-26 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

a. Claim 15, line 4, the claimed limitation "determiner awarding winning" is unclear. Does the limitation mean "the determiner determines winning awards for selected play" or "the determiner distributes award winning to the player"?

b. Claim 23, lines 1-2, the claimed limitation "a plurality of modules" is ambiguous. What are the modules? Are they the displays or the input buttons?

c. Claims 16-26 are rejected as being dependent on the rejected base claim.

Claim Rejections - 35 USC § 102

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371© of this title before the invention thereof by the applicant for patent.

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8. Claims 15-16, 19, 23 and 26-28 are rejected under 35 U.S.C. 102(e) as being anticipated by Hedrick et al (US. Patent No. 6,135,884).
- a. As per claim 15-16 and 26, Hedrick discloses a gaming apparatus which comprises: a payment receiver (col. 6, lines 19-21); an actuator (col. 6, lines 6-8); an award winning determiner (col. 18, lines 44-67; col. 19, lines 1-2); a distributor for paying winnings (col. 6, lines 21-23); a plurality of displays vertically connected in serial configuration (Fig. 2; col. 5, lines 45-67; col. 6, lines 1-5; and col. 24, lines 5-7).
- b. As per claim 19, Hedrick discloses video screens (col. 5, lines 45-46; col. 6, lines 1-5; and col. 18, lines 64-67).
- c. As per claim 23, Hedrick discloses side by side modules 313, 315 and 317 (Fig. 3d).
- c. As per claim 27, Hedrick discloses a plurality of video displays 220 and 221 (Fig. 2) mounted to an upper portion of the game housing.
- d. As per claim 28, refer to discussion in claim 19 above.

Claim Rejections - 35 USC § 103

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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10. Claims 1-12, 17-18, 20-22, 24-25 and 29-32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hedrick et al (US. Patent No. 6,135,884).

a. As per claim 1, Hedrick discloses an electronic gaming system which comprises: a programmable computing system within a computer enclosure 623 (Fig. 6); a player wager and prize unit (col. 6, lines 19-25); two or more display devices 220 and 221 (Fig. 2).

Hedrick does not explicitly disclose a pair of vertical support members. However, Hedrick discloses a support structure 323 (Fig. 3d) on which a display screen is mounted (Fig. 3d). It would have been obvious to a person of ordinary skill in the art at the time the invention was made to substitute the support structure of Hedrick with the vertical support members in order to reduce support materials.

Hedrick does not explicitly disclose that the wager and prize unit is separated from the computer enclosure. However, separating unit from an apparatus and electronically connect the unit to the apparatus would have been well known to a person of ordinary skill in the art at the time the invention was made. It would have been obvious to a person of ordinary skill in the art at the time the invention was made to separate the wager and prize unit from the computer enclosure, since separating or rearranging a part from an apparatus requires only routine skill in the art.

b. As per claim 2-14, the limitations set forth in claims 2-14 would have been a well known inside structure of a video-based electronic game system of the independent claim 1. It would have been obvious to a person of ordinary skill in the art at the time the invention was made to

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include the well known internal structure of claims 2-14 to the video game device of Hedrick in order to provide a video game system which accepts wager, distributes prize, and displays game results.

c. As per claim 17, Hedrick does not explicitly disclose a plurality of displays facing forward and above the gaming device. However, Hedrick discloses arranging the displays on top of the gaming device (Fig. 1); and further arranging the displays appropriate angles (col. 24, lines 7-11), it would have been obvious to a person of ordinary skill in the art at the time the invention was made to arrange the displays on top of the game machine at a slant angle such that the displays face toward a center point in order to prevent light reflection and facilitating the user to read information on the displays above the user.

d. As per claim 18, Hedrick discloses a plurality of displays (Fig. 2; col. 5, lines 45-67 and col. 6, lines 1-5). It would have been obvious to a person of ordinary skill in the art at the time the invention was made to include at least three displays to the game apparatus of Hedrick, since duplicating the same devices requires only routine skill in the art.

e. As per claim 20-22 and 24, Hedrick discloses a support structure 323 (Fig. 3d) on which a display screen is mounted (Fig. 3d). It would have been obvious to a person of ordinary skill in the art at the time the invention was made to substitute the support structure of Hedrick with the vertical support rails in order to reduce support materials.

Further, as to claim 22, Hedrick discloses arranging displays at an angle between horizontal and vertical (col. 24, lines 7-11); and suggests an arc support structure 14 (Fig. 1). It

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would have been obvious to a person of ordinary skill in the art at the time the invention was made to provide arc rails in order to facility the user to read information on the displays that are above the user.

d. As per claim 25, displaying portion of a large image in each display to form a continuous image would have been well known to a person of ordinary skill in the art at the time the invention was made. It would have been obvious to a person of ordinary skill in the art at the time the invention was made to use the plurality of displays of Hedrick to display a section of a large image on each display in order to provide the player a complete image which is too large to display on one screen.

e. As per claim 29-32, refer to discussion in claims 17-18, 22 and 24 above.

Conclusion

11. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- i. Richter (US. 6,283,862) discloses computer-controlled game system.
- ii. Bennett (US. 6,089,977) discloses slot machine game with roaming wild card.
- iii. DeMar et al (US. 6,270,410) discloses remote controlled slot machines.
- iv. Giobbi et al (US. 6,155,925) discloses bonus game for gaming machine with payout percentage varying as function of wager.

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- v. Kinoshita (US. 5,967,894) discloses gaming apparatus and method that indicates odds for winning card hands.
- vi. Ong (US. 5,986,622) discloses panel display of multiple display units for multiple signal sources.
- vii. Amery et al (US. 6,152,739) discloses visual display system for producing a continuous virtual image.
- viii. Ohishi et al (US. 5,926,153) discloses multi-display apparatus.

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kim Nguyen whose telephone number is (703) 308-7915. The examiner can normally be reached on Monday-Thrusday from 7:30AM to 5:30PM ET.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Valencia Martin-Wallace, can be reached on (703) 308-4119. The fax phone number for this Group is (703) 308-7768.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308-1148.



Kim Nguyen
Patent Examiner
AU 3713
Date: 9/25/2001